UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.316
12 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 316th MEETING

Held at Headquarters, New York,
on Thursday, 16 January 1997, at 10.15 a.m.

Chairperson: Ms. KHAN

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97-80111 (E)

The meeting was called to order at 10.25 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined initial, second and third periodic reports of Saint Vincent and the Grenadines (CEDAW/C/STV/1-3 and Add.1)

1. At the invitation of the Chairperson, Ms. Ollivierre (Saint Vincent and the Grenadines) took a place at the Committee table.

2. Ms. OLLIVIERRE (Saint Vincent and the Grenadines) said that the report contained in document CEDAW/C/STV/1-3 had been sent to the Committee in 1992 as a result of an administrative error and requested that the report dated 28 July 1994 (CEDAW/C/STV/1-3/Add.1) should be considered as the main report.

3. Before presenting her report, she wished to clarify certain statements concerning Saint Vincent and the Grenadines which were contained in the country reports prepared by the International Women's Rights Action Watch (IWRAW). The report mistakenly suggested that population growth was a problem in her country. Youth unemployment, which was indeed a major problem, was not necessarily the result of population growth but of the absence of job creation programmes and the failure of economic development to keep pace with improved educational standards. She also objected to the use of the term "serial monogamy" with reference to Saint Vincent and the Grenadines. While some adults had more than one spouse during their reproductive life, such relationships were by no means flippant and were no more common in Saint Vincent and the Grenadines than in other countries of the world where divorce and separation were freely permitted.

4. Turning to recent developments, she noted that further progress had been made in enhancing the status of women through legislation. The Family Court, which had been established in 1992 to deal with matters pertaining to domestic violence, child custody cases, child abuse and most juvenile cases, had become functional in the first quarter of 1995. A Domestic Violence Act had been passed to provide a more rapid response to complaints of domestic violence against women and children. There were still some attitudinal problems, however, on the part of those whose duty it was to enforce the law. Legal aid on a limited scale was being provided through the Ministry of Justice, while the Department of Women's Affairs had established a network of lawyers to work pro bono for women in violent relationships who required protection under the law.

5. After providing general information about Saint Vincent and the Grenadines, its general political structure and its land and people, she reported that the Constitution provided the main frame of reference for the protection of basic human rights. While the judicial system did not allow for the Convention to be directly legitimized in its current format, the Government had made every effort to bring local legislation into line with the articles thereof. The Department of Women's Affairs, which had been established in 1985, was the main agency for the implementation of the relevant government policies.

6. With reference to articles 1 to 3 of the Convention, the 1979 Constitution guaranteed the rights of women and all citizens. Since its signing of the Convention, the Government had enacted legislation, such as the Equal Pay Act of 1994, which embodied the principle of equality between men and women and outlawed some discriminatory practices. The Act was particularly relevant to the industrial and agricultural sectors, where men traditionally received higher wages than women for the same amount of work.

7. With regard to article 4, she noted that the Women's Desk had been upgraded to a Department of Women's Affairs with responsibility for promoting the social, political and economic interests of women and their role in development. The Department had been involved in training, employment, education and health programmes and had provided support for the development of non-governmental women's organizations. The National Council of Women also received an annual subvention from the Department of Women's Affairs to support its administrative and programmatic activities.

8. Concerning the modification of social and cultural patterns, as provided for in article 5, she said that many of the norms in Saint Vincent and the Grenadines were based on contradictions. Women were expected to realize their full potential while remaining subordinate to men. One means of enforcing subordination continued to be the use of brute force, particularly in common-law relationships. The problem of the socialization of males and females into rigid gender roles was beginning to be addressed, mainly through an opening up of the school's curriculum.

9. The prostitution of women, to which article 6 referred, was discouraged, and several related offences were covered in the Criminal Code. Owing to the difficulty of establishing that prostitution had occurred, such cases were rarely brought before the court.

10. The situation of women in Saint Vincent and the Grenadines met the requirements of two sections of article 7, although women were underrepresented at the level of the formulation of Government policy and in the holding of public office. While there were no legal barriers to prevent the participation of women in the political process, few women stood for Parliament, and none of the political parties had articulated policies to encourage the participation of women as candidates in a general election. Women were perhaps best represented in the non-governmental, non-profit organizations.

11. With regard to representation at the international level, the highest-ranking female was the Deputy Ambassador of Saint Vincent and the Grenadines to the United States of America. The common practice was to award ambassadorships not necessarily to career diplomats but to persons with strong political affiliations, and, historically, women in Saint Vincent and the Grenadines had not been active in party politics.

12. On the subject of nationality, which was dealt with in article 9 of the Convention, the Constitution provided for all persons born in the State before and after independence to become citizens. A woman, whether or not married to a fellow citizen, could pass on her citizenship to a child born outside the State, although the foreign husband of a citizen must apply for citizenship.

13. With regard to education, school attendance rates in both urban and rural areas were high. The Government was the largest provider of both primary and secondary education. While access to primary education was universal, however, access to secondary education was based on merit and the financial capacity of the parents. Women accounted for the majority of teachers within the primary and secondary school systems, although most of the school principals were men. A similar situation existed at the tertiary level.

14. Turning to article 11, she reported that, owing to the country's economic situation, the national Constitution did not guarantee the right to work of all nationals. The Constitution did, however, provide women with some protection against gender-based discrimination, which included discrimination in the field of employment. There were fewer women than men in the labour force, mainly because many women were engaged in child rearing, and much of the unpaid female work in the agricultural sector was not generally recorded as economic activity. Women were protected from discrimination in employment by the Minimum Wages Orders and Regulations of 1989 and by the Equal Pay Act of 1994. They were guaranteed maternity and other benefits under the National Insurance Scheme and under chapter 229 of the Laws of Saint Vincent and the Grenadines.

15. In the field of health care, which was covered by article 12, males and females had equal access to health care services in Saint Vincent and the Grenadines. Human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), which was transmitted almost exclusively through heterosexual contact, was a growing problem, and Government agencies together with the Saint Vincent Planned Parenthood Association were seeking to combat it through more effective screening of blood supplies, sexual health education and the distribution of contraceptives at subsidized rates. Tubal ligation as a form of family planning was practised. In the case of married women, permission for the operation usually had to be granted by the husband. The Ministry of Health was currently conducting an educational campaign to encourage more women to have tests for the early detection of breast, uterine and cervical cancer. Many villages had health centres which provided daily health care services, including the delivery of babies, and many first-time mothers availed themselves of post-natal check-ups.

16. As far as article 13 was concerned, the situation of women was favourable. They had equal access to any benefits offered by the Government and had the right to take out loans, conclude mortgages and enter into financial commitments without the prior consent of their husbands. The fact that men received more agricultural loans than women was more the result of the choice of crops than of any discriminatory policy on the part of lending institutions.

17. Concerning article 14, she said that the most recent agricultural census showed that female ownership of agricultural holdings amounted to slightly less than one third of total holdings. However, more research was needed in that area. In the meantime, the Government was undertaking the redistribution of the remaining estates throughout the country. So far, 35 per cent of farms had been leased to women. There had been social improvements in rural communities, mainly in the areas of health and education. Access to water and electricity was also improving.

18. Turning to article 15, she noted that, although men and women were equal before the law, in some instances women's access to the courts had been limited by financial resources. A recent development which gave women greater independence and choice of action was the Domicile Act.

19. Under article 16, she drew particular attention to the Age of Majority Act, which reduced from 21 to 18 years the age of majority, and the Domestic Violence and Matrimonial Proceedings Act, which gave women equal rights to apply for a court injunction to restrain their spouses. Of equal importance were the Married Women's Property Act, which allowed a woman to own, acquire, manage and dispose of property in her own name, and the Matrimonial Causes Act, which allowed for the same grounds to be applied equally to men and women.

20. The CHAIRPERSON invited the members of the Committee to consider the combined initial, second and third reports of Saint Vincent and the Grenadines.

General observations and comments

21. Ms. FERRER GÓMEZ thanked the representative of Saint Vincent and the Grenadines for the very full and excellent oral presentation. She asked whether any surveys had been carried out on the causes of the high rate of emigration, especially of women, including its consequences on the ratio of men to women, as well as its impact on families headed by women. She would appreciate more information on the structure, staffing, funding and present work programme of the Department of Women's Affairs. She also wanted to know whether the Government had developed any national programmes as a follow-up to the Fourth World Conference on Women.

22. Ms. OUEDRAOGO commended the Government of Saint Vincent and the Grenadines for a well structured report, which provided a wealth of information on the status of women. However, because the report was a combined one, and in view of the date of her country's ratification of the Convention, she had expected to see a clearer picture of how the situation of women had evolved since 1981. Accordingly, in her oral responses, the representative of Saint Vincent and the Grenadines should provide more information on that subject as well as on the difficulties that were preventing the full advancement of women.

23. Ms. ABAKA said that while the combined report had followed the Committee's guidelines on reporting, it had made no reference to the Committee's general recommendations. She trusted that it was merely an oversight which would be addressed in the answers to the Committee's questions or in the next report. She wondered why the Government had taken so long to present its report. She commended Saint Vincent and the Grenadines for being one of the first countries to ratify the Convention and for its efforts to implement it despite financial and other constraints. In that regard, she wished to know what action the Government was taking to combat the adverse effects of the trade restrictions, especially the drop in prices for agricultural commodities, that had unfortunately resulted from the conclusion of the Uruguay Round. She also asked how the Department of Women's Affairs and the National Council on Women coordinated their activities. While it was encouraging to note that the social and legal means of implementing the Convention were enshrined in the Constitution as well as in other types of legislation, including labour laws and

the Criminal Code, that was not enough. The Government should reconsider its position in that regard with a view to making the Convention part of domestic law so that women could benefit more fully from its provisions.

24. Ms. GONZÁLEZ MARTÍNEZ asked whether there was any study on the causes of the high emigration rate among women, why more women emigrated than men and what their countries of destination were. A breakdown of their numbers according to age, social status and occupation should also be provided. She asked whether the rapid growth of the population had prompted any consideration of long-term family planning policies that took into account the impact of population growth on youth unemployment.

Article 2

25. Ms. CARTWRIGHT, noting that the Convention was not part of national law, asked whether it would be given consideration in alleged cases of discrimination brought before the High Court, whether the High Court gave particular importance to conventions such as the Convention on the Elimination of All Forms of Discrimination against Women, and whether there had been any case where the Convention had been cited as an authority before the High Court. She also wished to know whether, in any court case involving claims of discrimination, financial damages and other remedies were available to women.

26. With respect to the Family Court, she asked if perpetrators of physical or sexual violence against women and children were still tried in the criminal courts and, if so, what the penalties were. She asked whether the Government had considered introducing education programmes for key groups responsible for administering the law, such as the police and the judiciary, and whether the Family Court also offered therapeutic programmes for perpetrators of violence against women and imposed any other penalties. As far as women's access to justice was concerned, she wished to know whether the Government had introduced a legal aid programme for women. Without such financial assistance, women could not benefit from their right of access to the courts.

27. Ms. AOUIJ asked which laws and regulations had been modified or abrogated in order to implement the provisions of the Convention, whether labour legislation was applied in both the public and private sectors and whether the law on violence was understood and had been well received by the population as a whole. The representative should clarify the provisions of article 13, paragraph 3, of the Constitution, which seemed to her to have had a perverse effect. Referring to article 16 of the Constitution, she wondered how many women had actually applied to the courts to seek redress, and what decisions had been handed down.

28. Noting that the State was working on a coherent, dynamic policy and strategies together with development programmes aimed at promoting the status of women in various areas, she asked which programmes were particularly geared to women, especially vulnerable groups such as female heads of household. In the context of the implementation of the North American Free Trade Agreement, she wished to know what steps had been taken by the Government to mitigate the effects of economic restructuring, particularly in the export sector and in other industries dominated by women. She asked what measures had been taken by

the Department of Women's Affairs and the National Council of Women in that regard, and whether those two bodies had a structure which enabled them to coordinate their activities. Concerning the large number of teenage pregnancies, she wondered whether there was any discrimination against them, whether such adolescents were dismissed from schools or vocational training institutes, whether their families could take care of them or whether there were non-governmental organizations that dealt with the problem.

Article 4

29. Ms. GONZÁLEZ-MARTÍNEZ asked whether the Department of Women's Affairs had been established by a special act or by decree. Details should be provided on its specific mandate, functions and responsibilities and its status within the government structure as well as its relationship with the National Council of Women and how such relationship was embodied. She also wanted to know whether the Department had developed an equal-opportunity programme of action.

Article 5

30. Ms. LIN Shangzhen said it was gratifying to learn that the report had been prepared and coordinated by the Department of Women's Affairs with input from all the relevant government departments to which it related and from non-governmental organizations. That process had enabled each ministry to familiarize itself with the Convention and to consider the steps it needed to take in order to ensure its implementation. Social and traditional habits had had a negative impact on women. For example, more females than males took part in elections, but there were few women political leaders. It would require the concerted efforts of the whole society to bring about effective implementation of the Convention. It was important to organize training programmes and to use the mass media to sensitize the people so as to gradually change their social mores and perceptions. Otherwise the rights granted in the Constitution or stipulated in various laws might not be very effectively protected.

31. Ms. FERRER GÓMEZ said that the report made it clear that traditional stereotyped patterns persisted in Saint Vincent and the Grenadines. Two of the problems that manifested themselves as a result were violence against women, and the difficulties experienced by women in moving to leadership positions. She asked for further details of government measures to combat stereotypes, in particular, of programmes in the education system, and of any training provided to teachers and doctors in that regard. She also wished to know whether the media were involved, and whether efforts were being made through the National Council of Women, in conjunction with the Department of Women's Affairs, to extend relevant programmes to the broader community.

32. Ms. JAVATE DE DIOS asked whether there were educational and media programmes to address violence against women and to modify the traditional roles of men and women.

33. Teenage pregnancy was a significant problem in Saint Vincent, in which connection she asked what programmes existed to help teenage mothers and to educate the respective fathers in terms of sexual behaviour and parental responsibilities.

34. More information on sexual harassment and on measures against incest would be welcome, as would some elaboration on the attitudes that had given rise to incest cases. Lastly, she requested further details concerning which government offices had responsibility for monitoring violence against women.

35. Ms. GONZÁLEZ MARTÍNEZ welcomed the enactment of legislation on domestic violence. She asked whether its terms were those indicated in paragraph 26 of the report (CEDAW/STV/1-3/Add.1), and whether it provided for educational and social programmes to emphasize the fact that domestic violence was a broad social, rather than a narrowly domestic, problem. She also asked whether there were programmes to combat the stereotyping of boys and girls.

36. Ms. RYEL welcomed the inclusion in the report of the text of the articles, as a means of raising awareness of the Convention. She also welcomed the adoption of legislation on domestic violence. Nevertheless, the lack of shelters for victims of domestic violence was disquieting in view of the need for immediate protection and the fact that shelters were frequently a source of legal information for victims.

37. Ms. ESTRADA CASTILLO said that women in Saint Vincent and the Grenadines were themselves responsible in part for the maintenance of stereotypes; for example, little use was apparently made of a legal system that allowed them to assert their rights, and women voters - a majority - failed to elect women. Societal patterns were not changing. She asked whether the Government intended to introduce policies to combat stereotypes, and whether the Department of Women's Affairs had programmes aimed at promoting respect for the basic dignity of women. Failing such an approach, other measures would not have much effect. Women would not, for example, benefit from legislation against violence without government programmes to heighten awareness.

38. Ms. OUEDRAOGO said that stereotypes and prejudices were the cause of the inferior status of women. She asked whether there was any comprehensive study of stereotyped practices that impaired the health and hindered the development of women. Stereotypes were an amalgam of many elements, such as the traditional division of labour within the family. Efforts to identify such negative practices could help to transform the image of women.

39. While the new legislation on domestic violence was welcome, it would not suffice. She wished to know what accompanying measures had been taken, such as training of legal and police personnel coming into contact with victims. It should be understood that some women accepted such treatment and did not file complaints. She welcomed the provision of family life education programmes, particularly in primary schools, but wished to know what steps were being taken to educate other elements of society, such as couples.

40. Ms. SHALEV said that the report was very frank. It illustrated such societal problems as low participation by women in public life and the discounting of agricultural work, which was not seen as an economic activity. The Government had an obligation to take measures to close the gap between the de jure situation and the social situation.

41. The CHAIRPERSON, speaking in her personal capacity, noted that stereotyping led to violence against women. In particular, the illegal but widespread practice of paying dowries was a significant cause of violence. She asked whether there had, in fact, been any formal identification of the dowry as a cause of violence, and how the relevant legislation was monitored. She also asked what the provisions of the legislation on domestic violence were, and noted the relevance in that regard of General Recommendation No. 19. With respect to childbearing out of wedlock, she asked what the responsibilities of fathers were, and what help was given to unmarried mothers.

Article 6

42. Ms. BUSTELO GARCÍA DEL REAL said that the report had scant details on traffic in women and prostitution. While the problem might not be widespread, the Government obviously needed to know the true state of affairs. She asked whether there were studies on the question and how the relevant legislation complied with article 6 of the Convention. Prostitutes were the victims of exploitation much more than women in general. She asked whether the increase in tourism had resulted in any increase in traffic in women and requested more recent data. She also wished to know whether there were specific information measures to stop female migrants from falling victims to trafficking.

Article 7

43. Ms. RYEL said that participation by women on statutory boards, in public corporations and in other government bodies (CEDAW/C/STV/1-3/Add.1, table 13) would provide a positive role model and could be increased by government action. The Government might establish a policy stating that the minimum representation for either sex should be 40 per cent of the membership of such bodies.

44. Ms. JAVATE DE DIOS noted that while women did not hold many elective positions they were active as campaign workers and constituted a majority of voters. The question arose of how that could be translated into political influence. She asked what programmes were in place to promote participation by women in elective politics, what government policies there were to place women in appointed positions, and whether pressure was put on political parties to enhance participation by women.

Article 9

45. Ms. SHALEV asked why different rules applied to men and women regarding acquisition of citizenship by those marrying nationals.

Article 10

46. Ms. BUSTELO GARCÍA DEL REAL asked for more details of the family life education programme and whether it covered boys and girls. Such programmes were useful in overcoming stereotypes. She asked for further information on family planning measures, and, in particular, on access by young people to contraceptive measures, in view of the high incidence of teenage pregnancies.

47. She wondered whether abortion was legal and available to young women, and if not, what health consequences were suffered by them as a result of clandestine abortions; whether any measures were planned to rectify the preponderance of men in school head-teacher positions; whether any human rights teaching programme existed, and if so, whether the text of the Convention was used; what degree of success had been achieved by efforts to prevent teenage mothers from dropping out of formal education; and whether girls had equal access to sport and physical education programmes.

48. Ms. ABAKA said that, in the context of the problem of teenage girls who left school because of pregnancies, it was surprising that the country's churches seemed to have had little success in dissuading teenagers from engaging in sexual activity. They should be actively involved in helping young people to understand the consequences of teenage sex. She wondered whether there was any statistical information as to whether pregnancies were more common among girls attending mixed schools, and what measures existed to encourage teenage mothers to resume formal education.

49. Ms. GONZÁLEZ MARTÍNEZ, referring to paragraph 59 of the report, asked why the number of girls who went on to secondary school was so much greater than the number of boys; referring to paragraph 62, she inquired as to the reason for the existence of four single-sex secondary schools, and as to the gender of their students; and, referring to paragraph 76, she asked what was currently the real literacy rate in the country, what literacy programmes existed and whether they were available to both sexes.

50. Ms. JAVATE DE DIOS, referring to paragraph 69, asked whether the training programmes in the Multipurpose Centres were geared towards young people who were not in full-time education, particularly the most vulnerable groups such as teenage mothers; what differences existed in course choices by gender group, what professional placement arrangements existed, what types of employment were available for the graduates and what the rate of absorption was. She also wondered whether the Ministry of Education, Culture and Women's Affairs had any plans to begin courses in gender awareness or women's studies at secondary or even primary schools.

51. Ms. Yung-Chung KIM congratulated the representative of Saint Vincent and the Grenadines for the excellence of the report. Teenage pregnancies often led to social and psychological damage to the mother; however, it seemed that in the Caribbean region, the social stigma involved was perhaps less extreme. Referring to the programmes designed to encourage girls to continue in secondary education after teenage pregnancies, as described in paragraph 75 of the report, she hoped that the programmes would be successful and that the outcome would be detailed in the Government's next report.

Article 11

52. Ms. BUSTELO GARCÍA DEL REAL asked whether the Government intended to conduct studies or produce statistics regarding women's unpaid work and its contribution to gross national product.

53. Ms. JAVATE DE DIOS requested additional information regarding the coverage of the Equal Pay Act. She wondered whether the Act applied equally to public and private sector employment, to small enterprises and to the informal sector, whether any assessment had been made as to the effectiveness of the Act, what Government department was responsible for monitoring its implementation and what penalties existed for failure to comply. She would also welcome information regarding mechanisms to monitor occupational hazards to women, particularly those who worked in the free trade zones.

54. Referring to the issue of female emigration, she asked whether there was any mechanism to regulate migration and to monitor the outflow of women migrants, and what means were available for their protection and, when they returned home, for their reintegration.

55. Ms. BARE commended the representative of Saint Vincent and the Grenadines for the candour of the report and oral presentation. It was regrettable that many highly educated women should have such difficulty in obtaining well-paid employment, particularly in senior teaching positions; details should be provided as to the existence of any affirmative action measures to overcome that problem. Referring to the statement in paragraph 80 regarding the shortage of employment opportunities for women, she wondered why more efforts had not been made to promote employment for women in service industries such as tourism.

56. She had heard from an independent source that many women traders attempting to support their families were constantly harassed by customs officials. She asked whether the Department of Women's Affairs was aware of that practice and what efforts had been made to redress the situation.

57. Paragraph 92 of the report stated that health and safety regulations concerning the reproductive functions of women workers were not embodied in labour legislation. She asked what efforts were being made by the national machinery to redress that situation, to what extent workers' organizations were aware of that abrogation, and what efforts they were undertaking; she also wondered what role, if any, women trade unionists were playing in obtaining improved working conditions.

58. The CHAIRPERSON, speaking in her personal capacity, asked how the Equal Pay Act was implemented in the informal and agricultural sectors. She also wondered why the period of paid maternity leave referred to in paragraph 86 was only one month, rather than three months as was the case in most countries.

Article 12

59. Ms. GONZÁLEZ MARTÍNEZ, referring to the Government's measures against AIDS described in paragraphs 100-105, asked whether the Government planned to organize any public information programmes on AIDS in places such as youth centres and educational establishments; and referring to paragraphs 106-107, she wondered whether instruction in family planning and contraception would be provided for men as well as women. She also asked whether any assistance was being provided by international organizations, such as the World Health Organization, in the areas of maternal and child health or family planning.

60. Ms. ABAKA asked why abortion had not been legalized, given that many clandestine abortions were performed and that the doctors involved were not prosecuted. She also requested additional information on the major causes of maternal and infant mortality, asking whether prenatal foetal testing was available and, if so, whether many abortions were motivated by the results.

61. Ms. SHALEV expressed concern at the infant mortality rate of 19.3 per cent which had been reported, and asked for clarification of that very high figure. She also requested gender-disaggregated data on causes of death, particularly on cardiovascular disease; if that information was not currently available, it could be provided in the next report.

The meeting rose at 1.05 p.m.